

01-14-02

PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

JCS62102  
01/11/02

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 621P001

First Inventor Dennis M. Hilton

Title FOAMED FIREPROOFING COMPOSITION  
AND METHOD

Express Mail Label No. ET121813759US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 22]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 3 ]
5. Oath or Declaration [ Total Pages ]
- a.  Newly executed (original or copy)
- b.  Copy from a prior application (37 CFR 1.63 (d))  
*(for continuation/divisional with Box 17 completed)*
  - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation     Divisional     Continuation-in-part (CIP)

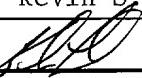
of prior application No: PCT/IB01/01604

Prior application information: Examiner \_\_\_\_\_

Group / Art Unit \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label		(Insert Customer No. or Attach bar code label here)				or <input checked="" type="checkbox"/> Correspondence address below
Name		Kevin S. Lemack				
Address		Nields & Lemack				
City		Westboro	State	MA	Zip Code	01581
Country		U.S.A.	Telephone	(508) 898-1818	Fax	(508) 898-2020
Name (Print/Type)		Kevin S. Lemack		Registration No. (Attorney/Agent)		32,579
Signature						Date Jan. 11, 2002

Burden Hour Statement: This form is estimated to take 0 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U S Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

11040 U.S.P.T.O.  
10/04/01

01/11/02

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1,020.00)

## Complete if Known

Application Number	Not yet assigned
Filing Date	Herewith By Express Mail
First Named Inventor	Dennis M. Hilton
Examiner Name	Not yet assigned
Group Art Unit	Not yet assigned
Attorney Docket No.	621P001

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 14-0930  
Deposit Account Name Nields & Lemack

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	740	
106 330	206 165	Design filing fee		
107 510	207 255	Plant filing fee		
108 740	208 370	Reissue filing fee		
114 160	214 80	Provisional filing fee		

SUBTOTAL (1) (\$ 740.00)

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	13	-20** = 0 X 18 = 0	
Multiple Dependent	3	-3** = 0 X 84 = 0	
		280	= 280

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20	
102 84	202 42	Independent claims in excess of 3	
104 280	204 140	Multiple dependent claim, if not paid	
109 84	209 42	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 280.00)

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath		
127 50	227 25	Surcharge - late provisional filing fee or cover sheet		
139 130	139 130	Non-English specification		
147 2,520	147 2,520	For filing a request for ex parte reexamination		
112 920*	112 920*	Requesting publication of SIR prior to Examiner action		
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action		
115 110	215 55	Extension for reply within first month		
116 400	216 200	Extension for reply within second month		
117 920	217 460	Extension for reply within third month		
118 1,440	218 720	Extension for reply within fourth month		
128 1,960	228 980	Extension for reply within fifth month		
119 320	219 160	Notice of Appeal		
120 320	220 160	Filing a brief in support of an appeal		
121 280	221 140	Request for oral hearing		
138 1,510	138 1,510	Petition to institute a public use proceeding		
140 110	240 55	Petition to revive - unavoidable		
141 1,280	241 640	Petition to revive - unintentional		
142 1,280	242 640	Utility issue fee (or reissue)		
143 460	243 230	Design issue fee		
144 620	244 310	Plant issue fee		
122 130	122 130	Petitions to the Commissioner		
123 50	123 50	Processing fee under 37 CFR 1.17(q)		
126 180	126 180	Submission of Information Disclosure Stmt		
581 40	581 40	Recording each patent assignment per property (times number of properties)		
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))		
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))		
179 740	279 370	Request for Continued Examination (RCE)		
169 900	169 900	Request for expedited examination of a design application		
Other fee (specify) _____				

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)

Complete (if applicable)

Name (Print/Type)	Kevin S. Lemack	Registration No. (Attorney/Agent)	32,579	Telephone	(508) 898-1818
Signature				Date	Jan. 11, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Attorney Docket No. 621P001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Dennis M. Hilton, Michael D. Morgan, Michael Windsor Symons and Timothy Michael Symons**

For: **FOAMED FIREPROOFING COMPOSITION AND METHOD**

Assistant Commissioner of Patents and Trademarks

Washington, D.C. 20231

Sir:

LETTER

The above-identified applicants enclose for filing a Continuation-in-part patent application entitled "**FOAMED FIREPROOFING COMPOSITION AND METHOD**". Said attached patent application includes (1) Utility Patent Application Transmittal Form (1-Page); (2) Patent Application: 22-Page Specification (including 2-pages of claims (12) and 1-Page Abstract) and 3-sheets of 8½x11 size drawings; (3) Preliminary Amendment (1-Page), together with a Replacement Sheet (1-Page); and (4) Fee Transmittal Form, together with a check in the amount of \$1,020.00 in payment of the filing fee.

**The executed Declaration and Power of Attorney, with surcharge will be submitted in due course.**

**Applicant hereby claims priority of South African Patent Application No: 2000/4627 filed September 4, 2000 and PCT Patent Application No. PCT/IB01/01604 dated September 3, 2001.**

All correspondence concerning this application should be mailed to:

**Kevin S. Lemack  
Nields & Lemack  
176 E. Main Street  
Westboro, Massachusetts 01581**

Respectfully submitted,

  
**Kevin S. Lemack  
Attorney for Applicant  
Registration No. 32,579**

Date: January 11, 2002

**EXPRESS MAIL NO: ET121813759US**

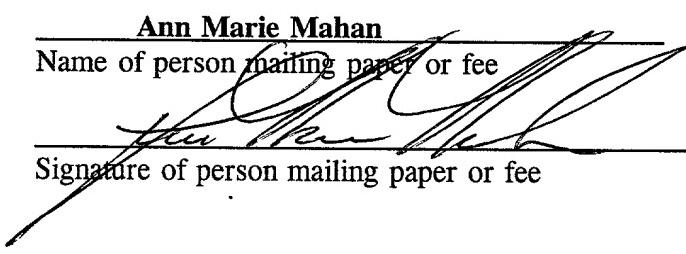
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Dennis M. Hilton, et al.  
Serial No. : Not yet assigned  
Filed : Herewith By Express Mail  
For : FOAMED FIREPROOFING COMPOSITION AND METHOD  
Examiner : Not yet assigned  
Art Unit : Not yet assigned  
Attorney  
Docket No. : 621P001  
Type of paper : Preliminary Amendment

"EXPRESS MAIL" MAILING LABEL NO. **ET121813759US**  
DATE OF DEPOSIT: January 11, 2002

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, **BOX: PATENT APPLICATION.**

Ann Marie Mahan  
Name of person mailing paper or fee

  
Signature of person mailing paper or fee

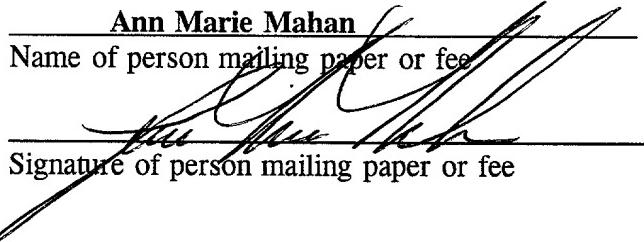
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Dennis M. Hilton, et al.  
Serial No. : Not yet assigned  
Filed : Herewith By Express Mail  
For : FOAMED FIREPROOFING COMPOSITION AND METHOD  
Examiner : Not yet assigned  
Art Unit : Not yet assigned  
Attorney  
Docket No. : 621P001  
Type of paper : Fee Transmittal Form, together with a check

"EXPRESS MAIL" MAILING LABEL NO. ET121813759US  
DATE OF DEPOSIT: January 11, 2002

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, **BOX: PATENT APPLICATION.**

Ann Marie Mahan  
Name of person mailing paper or fee

  
Signature of person mailing paper or fee

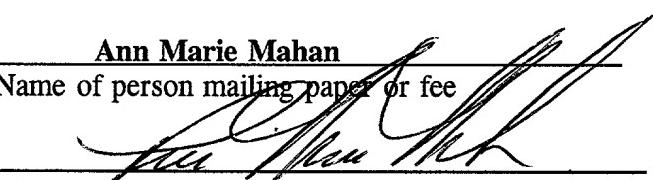
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Dennis M. Hilton, et al.  
Serial No. : Not yet assigned  
Filed : Herewith By Express Mail  
For : FOAMED FIREPROOFING COMPOSITION AND METHOD  
Examiner : Not yet assigned  
Art Unit : Not yet assigned  
Attorney  
Docket No. : 621P001  
Type of paper : Letter

"EXPRESS MAIL" MAILING LABEL NO. ET121813759US  
DATE OF DEPOSIT: January 11, 2002

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, **BOX: PATENT APPLICATION.**

Ann Marie Mahan  
Name of person mailing paper or fee

  
Signature of person mailing paper or fee

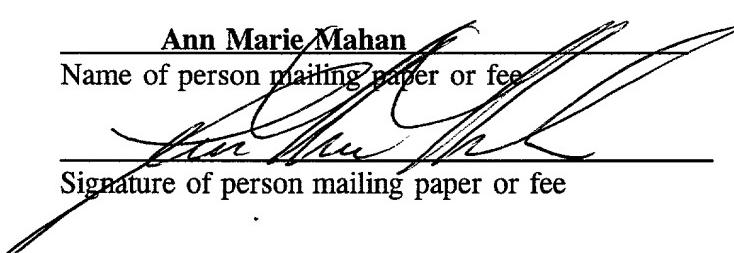
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Dennis M. Hilton, et al.  
Serial No. : Not yet assigned  
Filed : Herewith By Express Mail  
For : FOAMED FIREPROOFING COMPOSITION AND METHOD  
Examiner : Not yet assigned  
Art Unit : Not yet assigned  
Attorney  
Docket No. : 621P001  
Type of paper : Utility Patent Application Transmittal Form

"EXPRESS MAIL" MAILING LABEL NO. ET121813759US  
DATE OF DEPOSIT: January 11, 2002

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, **BOX: PATENT APPLICATION.**

Ann Marie Mahan  
Name of person mailing paper or fee

  
Signature of person mailing paper or fee

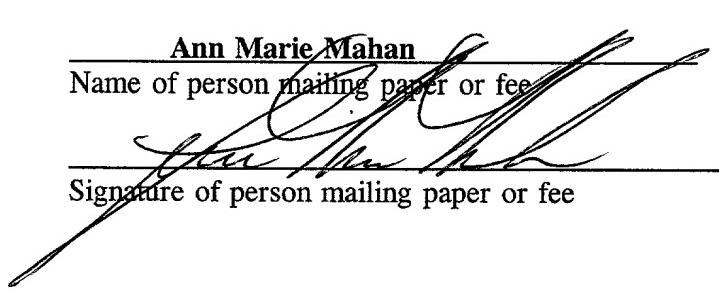
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Dennis M. Hilton, et al.  
Serial No. : Not yet assigned  
Filed : Herewith By Express Mail  
For : FOAMED FIREPROOFING COMPOSITION AND METHOD  
Examiner : Not yet assigned  
Art Unit : Not yet assigned  
Attorney  
Docket No. : 621P001  
Type of paper : Patent Application

"EXPRESS MAIL" MAILING LABEL NO. ET121813759US  
DATE OF DEPOSIT: January 11, 2002

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, **BOX: PATENT APPLICATION.**

Ann Marie Mahan  
Name of person mailing paper or fee

  
Signature of person mailing paper or fee